



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

**TORTS—INJURY TO ANOTHER'S BUSINESS—EFFECT OF WRONGFUL INTENT.** **PASSAIC PRINT WORKS v. ELY & WALKER DRY GOODS CO. ET AL**, 105 Fed. 163.—Plaintiff, a manufacturer, alleged that defendants, who were jobbers having on hand a limited quantity of plaintiff's goods, had for the purpose of injuring said plaintiff's business offered them for sale at such a low price that plaintiff's business was injured. *Held*, that such allegation did not state a cause of action for the recovery of damages. Sanborn, circuit judge, dissenting.

This decision is in accord with *Allen v. Flood* (1898), 1 App. Cas. 1, which was an action for maliciously inducing an employer to discharge and not to employ servant. The law on this question, in this country, has not been definitely decided and differs in the several States, but to a large extent the power to use one's property malevolently, in any way which would be lawful for other ends, is an incident of property which cannot be taken away. *Walker v. Cronin*, 107 Mass. 555.

**TRADE-NAMES—ENJOINING USE—ADVERTISING.—SAMUELS ET AL v. SPITZER**, 58 N. E. 693 (Mass.).—Plaintiffs in suit had established a large trade advertised as the "Manufacturers' Outlet Company." This name was registered as their trade-mark and duly copyrighted. Defendants subsequently established a similar business in a neighboring town under the name, "Taunton Outlet Company." *Held*, that the plaintiffs are entitled to restrain the use of the name "Taunton Outlet Company."

The law regarding trade-names is that if the imitation is likely to deceive persons of ordinary intelligence, using ordinary care, into purchasing one man's goods for another's, it may be restrained. *Lee v. Haley*, 5 Ch. App. Cas. 155; *Sanders v. Jacobs*, 20 Mo. Ap. 96. In this case the Court holds that the words "Outlet Company" are the ones that attract attention, while the words "Manufacturers'" and "Taunton" are general and applicable as well to one name as the other.